

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

OB
8/22/95

IN RE: MaryEllen McDonald

CASE NO.: F-95-033 W

F.O. NO.: DOSFEC 95-133

REPORT DUE DATE: 12-05-94

FINAL ORDER

THIS CAUSE came on to be heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting held on August 4, 1995.

FINDINGS OF FACT

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing law.
2. The Respondent's campaign treasurer's report was not filed with the filing officer on the designated due date.
3. The filing officer fined the Respondent for the late filing of the report which the Respondent timely appealed, claiming unusual circumstances.

CONCLUSIONS OF LAW

1. The Florida Elections Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 106.04 or 106.07, Florida Statutes.
2. The Respondent's claim of unusual circumstances, as defined in Rule 1D-1.005, Florida Administrative Code, does not justify the Respondent's failure to

file the report on the designated due date.

ORDER


Based on the foregoing facts and conclusions of law, the Florida Elections Commission finds that the Respondent failed to file the report on the designated due date. Therefore, it is

ORDERED that the assessed fine of \$76.63, is affirmed. The fine shall be paid to the filing officer within 30 days of the date this Final Order is received by the Respondent.

DONE AND ORDERED by the Florida Elections Commission on August 4, 1995, in Miami, Florida.

Entered on August 11, 1995.

Filed on 5-11-95
Commission Clerk Hg



Carlos Alvarez, Chairman
Florida Elections Commission
Room 2002, The Capitol
Tallahassee, FL 32399-0250

NOTICE OF RIGHT TO APPEAL

Pursuant to Section 120.59, Florida Statutes, the Respondent may appeal the Commission's Final Order to the district court of appeals by filing a notice of appeal both with the Clerk of the Florida Elections Commission and the Clerk of a district court of appeal accompanied by the appropriate filing fees, within 30 days of the date this Final Order was filed.

Copies furnished to:
Lynne A. Quimby-Pennock, Assistant General Counsel
MaryEllen McDonald, Respondent (certified mail)
Division of Elections, Filing Officer